

CHAPTER 13 MOTION AND CONFIRMATION HEARING CORONAVIRUS TEMPORARY EMERGENCY POLICY

Effective immediately and until further notice, in an effort to minimize court appearances while continuing to administer the Trenton Chapter 13 Motion and Confirmation Hearing calendars, we are enacting the following temporary emergency procedures and recommendations:

MOTIONS

1. It continues to be critical for all counsel to review the Trustee's Calendar Disposition List (www.russotrustee.com/cdl) in advance of scheduled matters to determine if it has been adjourned, withdrawn, or rendered moot due to dismissal.
2. All motions without objection will be marked "No Opposition" and may be granted without appearance.
3. We are requesting all interested parties to confer and make a concerted effort to resolve any outstanding issues or disputes prior to the hearing date. If a resolution is reached, please locate the matter on the Trustee's Calendar Disposition List (www.russotrustee.com/cdl) and click the *MATTER RESOLVED* button. You will be required to enter your name and email address, the name and email address of your adversary, select how the matter has been resolved, and enter the terms of the resolution. (Failure to provide complete or accurate adversary information will result in NO action on our part.) Our office will enter the appropriate disposition – "Withdrawn", "Order to be Submitted (OTBS)", etc. – for the matter and notify the court. It will be your responsibility to email any proposed orders to the Judge's Chambers and a copy to the Trustee's office at orders@russotrustee.com. Once the matter has been resolved and posted to the Calendar Disposition List (www.russotrustee.com/cdl), you WILL NOT need to appear in court or participate via Court Solutions.
4. If you consent to your hearing "on the papers", click the *MATTER RESOLVED* button to so advise our office. If there have been no other objections filed, we, too, will consent to the matter being decided on the papers, and you WILL NOT need to appear in court or participate via Court Solutions. If there have been objections that you cannot resolve, and all parties consent, you should immediately request an adjournment.
5. If you cannot resolve a matter, and all parties consent, you should immediately request an adjournment. We are trying to limit court hearings requiring adjudication to only emergent matters and those matters that cannot be resolved.
6. Trustee's Motions to Dismiss and Trustee Certifications of Default. The Trustee will adjourn all **contested** Trustee's Motions to Dismiss and Certifications of Default for up to 45 days. Debtor's counsel is requested to file a supplemental submission to update debtor's opposition to dismissal within 3 days of the adjourned hearing date. If there is no filed opposition to the Trustee's Motion

to Dismiss or Certification of Default, the case will be recommended for dismissal without the need for an appearance. In addition, all future Trustee requests for dismissal will be made by way of motion and will have a return date of approximately 60 days from the date of filing. Counsel is encouraged to continue to propose specific resolutions or cure options to events of default for the Trustee's consideration.

CONFIRMATION HEARINGS

1. It continues to be critical for all counsel to review the Trustee's Calendar Disposition List (www.russotrustee.com/cdl) in advance of scheduled matters to determine if it has been adjourned, withdrawn, or rendered moot due to previous dismissal.
2. If your matter is marked "Recommend Confirmation - HONOR ROLL" on the Trustee's Calendar Disposition List (www.russotrustee.com/cdl), as always, you WILL NOT need to appear in court or participate via Court Solutions.
3. If your matter is marked "Recommend Confirmation - SUBJECT TO TERMS" and you agree with the terms recommended in the "Trustee Notes" field, click the *MATTER RESOLVED* button. You will be required to enter your name and email address and indicate your agreement with the terms. We will enter the appropriate disposition and notify the court; you WILL NOT need to appear in court or participate via Court Solutions.
4. If your matter is marked "Needs Resolution of Issues: Objections", we encourage you to confer with your adversary and attempt to reach an agreement. For Trustee objections, click the *EMAIL INQUIRY* button on the Calendar Disposition List (www.russotrustee.com/cdl) to either agree with our objection or provide a detailed response thereto for review and consideration. If the objection(s) can be resolved, click the *MATTER RESOLVED* button. You will be required to enter your name and email address, the name and email address of your adversary, and a detailed description of how the matter has been resolved. (Failure to provide complete or accurate adversary information will result in NO action on our part.) We will enter the appropriate disposition and notify the court; you WILL NOT need to appear in court or participate via Court Solutions.

When you use the *MATTER RESOLVED* button on the Trustee's Calendar Disposition List (www.russotrustee.com/cdl), an email will be sent to the Trustee's staff with a copy to you and your adversary, if any. If there are objections to the representations made in the email, the objecting party should notify the Trustee's office immediately by using the *EMAIL INQUIRY* button on the Calendar Disposition List. We can then determine how or if the matter will be disposed.

For any matters on the Trustee's Calendar Disposition List (www.russotrustee.com/cdl) marked "Judge to Reserve Decision", please contact the judge's chambers.

If you are required to attend a hearing via Court Solutions (telephonically), be sure to dial-in in advance of your scheduled hearing time. If you have not yet signed up with Court Solutions, you should do so immediately: www.court-solutions.com or 917-746-7476.

We recognize the enacting of this policy may result in a greater than usual number of adjournment requests. We will do our best to process them as quickly as possible, and ask for your patience and understanding. Please DO NOT submit multiple adjournment requests for the same matter, as this will only delay the processing of requests.

We strongly suggest you frequently check the Trustee's Calendar Disposition List (www.russotrustee.com/cdl) – particularly the morning of the hearing – for an updated matter status. Please note, in order to accommodate the volume, it may be necessary to reschedule a matter for a different time. As this may cause a discrepancy between the published docket and actual hearings calendar, please frequently check the Trustee's Calendar Disposition List (www.russotrustee.com/cdl) for updates.

We understand this is a new and unfamiliar method of conducting hearings for all of us, but these are unique times and we must work together to ensure the continuation of the Chapter 13 process.